

	Mining Form MR-400	S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL BUREAU OF LAND AND WASTE MANAGEMENT DIVISION OF MINING AND SOLID WASTE MANAGEMENT 2600 Bull Street, Columbia, SC 29201 Telephone Number (803) 869-4261 Fax Number: (803) 896-4001
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SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
BUREAU OF LAND AND WASTE MANAGEMENT
DIVISION OF MINING AND SOLID WASTE PERMITTING
2600 Bull Street
Columbia, SC 29201
Telephone Number (803) 896-4261 Fax Number (803) 896-4001

APPLICATION FOR A MINE OPERATING PERMIT
FORM MR-400 DATE VERSION ADOPTED 7/1/94

"The South Carolina Mining Act," Sections 48-20-10 through 48-20-310, Code of Laws of South Carolina, 1976, as amended provides in part: "No operator may engage in mining without having first obtained from the Department an operating permit which covers the affected land and which has not been terminated, been revoked, suspended for the period in question, or otherwise become invalidated." (Section 48-20-60)

I.APPLICANT INFORMATION

1. Name of Company: Henry Farms, Inc.

Check form of business entity: Corporation ☒ Partnership ☐

Limited Partnership ☐ Sole Proprietorship ☐

2. Name of Proposed Mine Henry Mine & Irrigation Pond County Beaufort

3. Home Office Address <u>64 Steady Getting It Ln</u>	<u>843.838.2762</u>
(Street and P.O. Box)	(Telephone No.)
<u>Frogmore SC 29920</u>	<u>843.838.5534</u>
(City) (State) (Zip Code)	(Fax. No.)

4. Local Office Address: <u>45 Tom Fripp Road</u>	<u>843.838.2761</u>
(Street and P.O. Box)	(Telephone No.)
<u>Frogmore SC 29920</u>	<u>843.838.5534</u>
(City) (State) (Zip Code)	(Fax. No.)

5. Designate to which office Official Mail is to be sent:

Home Office ☒ Local Office ☐

6. Name of company personnel and their title to be the contact for official business and

correspondence: Craig Henry Cell -- 843.521.3826

7. Location of Mine: <u>Lands End Road</u>	<u>Beaufort</u>
State or County Hwy No.	Nearest Town or City

8. Locate accurately on a county map, USGS 7.5' Topographic Map, or draw a detailed map to scale of: (1) how to get to your local office and (2) how to get to the mine and attach to this application.

9. If land is leased, complete the following:

A. Name of landowner: _____ NA _____

Landowner's Address: _____
Street and PO Box City

State Zip Code Telephone Number

B. Date lease became effective _____ NA _____

Date of lease termination: _____ NA _____

Name of lessee: _____ NA _____

II. GENERAL CHARACTERISTICS OF MINE:

1. Material(s) to be mined: _____ Sand/clay _____

2. Mining Method:

A. List equipment to be used for mining and provide a brief description as to how the mine will be operated.

Vegetation will be cleared and grubbed from the mine site in preparation to mining. Top soil needed for reclamation will be pushed in to small berms along the outside perimeter of the pit. Once top soil is removed, there is no overburden to strip and stockpile. Mining will be done with hydraulic track hoe or end loader. Sand/clay will be excavated from the pit and directly loaded onto truck for delivery to customer. There will be no processing of the sand/clay.

B. Will there be a process plant located at the mine site within the boundary of the permitted area? If so, please provide a brief description of the plant equipment and function of the plant.

A process plant will NOT be located on the mine property.

3. Do you anticipate blasting as part of the mining operation? ____ Yes ____ x No. If yes, provide the distance to the nearest inhabited structure not owned or leased by the applicant. Also, provide as an attachment to this application the names and addresses of all the owners of all structures within one-half mile from the nearest point of blasting during the life of the proposed mine. How will flyrock be prevented from being projected from the permitted area?

4. Has this site been mined in the past? If so, please indicate the present condition of the land.

Mining is currently being conducted under a General Mine Operating Permit.

Mine site is active as of date of this application submittal.

5. What is the expected maximum depth of this mine? Provide any addition information about the final depth of the mine that would be useful to the Department. (Ex. Final depth of pit will be level to adjacent road, elevation above Mean Sea Level (MSL)).

Expected depth of mining is 38 feet.

III. DETERMINATION OF PERMITTED ACREAGE, AFFECTED ACREAGE AND RECLAMATION BOND

1) Total acres for which permit is being requested:

21.5 Permitted acres owned by the operator

0 Permitted acres leased by the operator

Note: Permitted acreage should include the following: 1) acres of land to be affected (excavation, processing plant, stockpiles, etc.); 2) future area(s) to be mined and 3) land to be used for buffer zones around the affected land. The permitted area should be the property described in the LAND ENTRY AGREEMENT(S) (FORMS MR-600 OR MR-700).

2. Total affected acreage:

Acres

A) Area used for sediment control ponds 0

B) Area used for stockpiles of unprocessed minerals 0

C) Area used for spoil (overburden) banks, topsoil and disposal refuse
(exclusive of tailings impoundments) 0.5

D) Areas used for on-site processing facilities and stockpiles of processed minerals 0

E) Areas used for tailings pond (waste material from mineral processing) 0

F) Area for access or haul roads 3.0

G) Area for excavation during the period of this permit

OR

If mining and reclamation are to be done in segments, state the size of each segment
(acres) 2. Multiply the size of the segments by 3 and enter the resulting
number. ----->

6.0

H) TOTAL OF 2A THROUGH 2G

9.0

A categorical breakdown of the acreage is:

Affected Acres – 12.6

Buffer Acres – 8.9

Future Reserve – 0

Total Permitted Acres – 21.5

A one hundred foot wide buffer area is shown on the mine map outside the affected area. Within the buffer zone, Henry Farms, Inc. has farmed and will continue their agricultural practices during the mining operation. Henry Farms requests DHEC continue to allow farming practices within this buffer area.

3. Check acreage to be bonded: total affected acreage calculated from Section 2.

X 0.00 - 9.99 acres (bond amount - \$10,000)

 10.00 - 14.99 acres (bond amount - \$15,000)

 15.00 - 24.99 acres (bond amount - \$25,000)

 25.00 + acres (bond amount - \$25,000 or greater)

Applicant may submit a reclamation cost estimate for mines that will affect greater than 25 acres. Estimate should be based upon requirements in Regulation 89-20 B.

4. Will this operation be covered by a blanket bond? If so, please list your company's other permitted mining operations in South Carolina giving mine names, permit numbers and state the present reclamation bond amount on file with this Department.

No.

5. Number of years for which this permit is requested. The requested number of years the permit is requested should coincide with the Schedule of Reclamation as proposed by the applicant in the RECLAMATION PLAN, Form MR-500. 10 years.

IV. PROTECTION OF NATURAL RESOURCES*

1. Will there be a waste water treatment system at your mine site? Yes x No

2. Will there be a point source discharge from your plant or mine requiring an NPDES Permit? If no, provide information as to how stormwater and groundwater will be managed. x Yes No

The current pit water discharge consisting of groundwater and stormwater, is discharged under NPDES General Permit for Discharges Associated with Mineral Mining Facilities.

3. Will there be air contaminant emissions from your plant or mine requiring an Air Quality Permit?
 Yes x No

4. Do you anticipate pumping of groundwater? If yes, describe. x Yes No

Groundwater is being pumped from the pit from a sump located on the southeast end of Phase I under the General Mine Permit. The sump will be approximately 1/4 acre in area as the pit reaches full size. The pump intake is and will be located a minimum of 3 feet above the bottom of the sump to prevent the uptake and discharge of sediment. See attached Generalized Schematic of Pit Dewatering Sump.

Do not anticipate depth of pumping to impact any domestic water wells due to extensive distance (1,400 feet) to nearest neighbor. Dewatering will only occur in the shallow water table. Potable water in domestic wells typically with draw groundwater from the deeper Floridian aquifer.

5. Will jurisdictional wetlands be affected, filled or altered in any fashion that will require a Section 404 Dredge and Fill Permit? Yes x No

The mine will not impact freshwater wetlands. A wetland survey has been conducted and will be forwarded to the Department upon completion of the report.

6. Are there any known cultural or historic sites located within the proposed area to be permitted?
 Yes x No

Henry Farms does not believe the potential exists for significant cultural or historic resources to exist within the mine area. However, an archaeologist has been hired to conduct a Phase I investigation. The mine permit application will be updated once the report is finalized.

7. Will any part of the permitted area be used as a solid waste disposal site? If no, describe how waste, trash, scrap metal material, garbage will be handled. Yes x No

***NOTE: For questions 1-7 that need additional space for explanations, please provide additional information on an attached sheet to this application.**

8. Describe the wildlife or freshwater, estuarine or marine fisheries in the area of the mining operation. Also provide information about any ponds and/or streams that may be located in the proposed permitted area.

There are no named surface water bodies, e.g., streams, creeks, ponds or rivers within one mile of the mine area. A small salt water tributary to into Harbor River is located at approximately 1/2 mile south of the permit area.

Terrestrial wildlife exist on the mine permit area consist of typical small mammals, common birds and other common wildlife. Deer are plentiful along with waterfowl, i.e., Wood Duck, Geese, etc. With extensive farming activities around the mine area, one would not expect a threaten or endangered species.

9. State the land cover and land uses on the permitted land area and contiguous tracts of land to the permitted land area.

Mine is located interior to a 625 acre farm owned and operated by Henry Farms, Inc. Consequently, the surrounding land uses consist of agricultural and woodlands. A commercial campground, owned by the mine operator, is adjacent to the mine area. The mine is ¼ mile (1,390 feet) south of Lands End Road, S-7-45. Rural homes are located along Lands End Road. The mine area is wooded surrounded by agricultural land.

10. Describe measures to be taken to insure against (1) substantial deposits of sediment in neighboring streams, rivers lakes or ponds; (2) landslides; (3) acid water formation and discharge. Attach any supporting documents (engineering designs, calculations, sediment & erosion control plan, setbacks, geotechnical information, acid prediction test etc.) to this application.

- (1) Groundwater is being pumped from the pit from a sump located on the southeast end of Phase I under the General Mine Permit. The sump will be approximately ¼ acre in area as the pit reaches full size. The pump intake is and will be located a minimum of 3 feet above the bottom of the sump to prevent the uptake and discharge of sediment.
- (2) Limited depth of mining will prevent unstable pit walls. If a minor slump in the pit wall should occur, there are no adjacent landowners to be adversely affected.
- (3) Geology not conducive for the formation of acid mine drainage.

V. SAFETY

1. Describe methods to be used during the time the mine operating permit is active to prevent physical hazards to persons and to any neighboring dwelling, house, school, church, hospital, commercial or industrial building or public road. If applicable, provide the zoning designation for the property to permitted.

The mine site is remote and isolated from any of the above land uses. The mine are will be surrounded by agricultural activities that will prevent trespassers from illegally accessing the mine area.

2. Describe methods to be used to prevent an adverse effect on the purposes of a publicly- owned park, publicly-owned forest, or publicly-owned recreation area. If any of these facilities are within one (1) mile of the proposed affected property, please locate on mine location map and the submitted U.S.G.S topographic map for this application.

There are no publicly-owned parks, publicly-owned forests or publicly-owned recreation areas within one-mile of the mine site. The Tuc-in-the-Woods Campground is privately owned by the mine operator.

3. Describe measures to be taken for screening the operation from view from public highways, public parks or residential areas.

As previously mentioned the mine is ¼ mile from Lands End Road and will not be readily visible due to distance and existing vegetation along the road and mine. No additional measures will be necessary to visually screen the mine from surrounding areas.

VI. MINE MAP

1. Provide the U.S.G.S. topographic map(s) that contains the proposed mine site. The proposed permitted area should be outlined on this submitted topographic map.

2. Attach two (2) copies of a map of the site (referred to as the MINE MAP) that shows the following:

A. Outline of the area to be affected by mining during the number of years for which the permit is requested. See Section III, Question 1 on page 3 of this application form.

B. Outline of the permitted area that shows the buffers zones, future mine areas and areas to be affected by mining.

C. Outline of the planned pits or excavations for which your company has detailed plans. If your company has reason to believe that additional land may be mined in the future within the permitted area but is not feasible to show as planned excavations; indicate these areas as FUTURE RESERVES on this site map.

D. Outline of areas for the storage of naturally occurring soil that will be suitable for the establishment of vegetation in final reclamation.

E. Outline of planned areas for disposal of refuse, exclusive of tailings ponds.

F. Outline of planned spoil, overburden or other similar waste material disposal areas.

G. Locations of planned access and haul roads on the area to be affected.

H. Outline of planned tailings ponds.

I. Locations of sediment control pond(s) and other sediment control structures within the affected area. Outline of areas on which temporary or permanent vegetation will be established to control erosion during the mine operation.

J. Location and name (if appropriate) of streams, lakes, wetlands and existing drainage ditches within the area to be permitted. Use arrows to indicate direction of water flow in such streams and drainage ditches.

K. Boundary for the 100 year floodplain, where appropriate.

L. Outline of areas for stockpiles of unprocessed minerals.

M. Outline of area of previously mined land that will not be affected.

N. Outline of the area to be occupied by processing facilities including stockpiles of processed minerals if such facilities are to be an integral on-site part of the mining operation.

O. Show location of the two permanent survey control points.

P. A legend showing the name of applicant, name of the proposed mine, north arrow, county, scale, date of preparation and name and title of person who prepared the site map.

THE REQUIRED SITE MAP SHALL HAVE A NEAT, LEGIBLE APPEARANCE AND BE OF SUFFICIENT SCALE TO CLEARLY SHOW THE REQUIRED INFORMATION LISTED ABOVE. THE BASE FOR THE MAP SHALL BE EITHER A SPECIALLY PREPARED LINE DRAWING, AERIAL PHOTOGRAPH, ENLARGED USGS TOPOGRAPHIC MAP OR A RECENTLY PREPARED PLAT.

3. Provide the most recent county tax map that shows all contiguous land owners of the permitted mine site. Provide name and addresses of all land owners contiguous to the proposed permitted mine site.

4. Provide letter from an attorney attesting to (1) the ownership of the property, (2) ownership of the mineral rights and (3) that the applicant has the legal right to mine the proposed mineral resource on the property as described in this application.

We hereby certify that all information and details contained hereinabove, within any supporting documents and on the map are true and correct to the best of our knowledge. We fully understand that any willful misrepresentation of facts will be cause for permit revocation.

The applicant acknowledges that Section 48-20-130, Code of Laws of South Carolina, provides in part:

"Upon receipt of the operator's annual report or report of completion of reclamation and at any other reasonable time the department may elect, the department shall inspect the permit area to determine if the operator has complied with the reclamation plan, the requirements of this chapter, regulations promulgated by its authority, and the terms and conditions of this permit. Accredited representatives of the department at all reasonable times may enter upon the land subject to the certificate of exploration or operating permit for the purpose of making the inspection."

Signature of Applicant/Operator or his Authorized Representative

Printed Name of Applicant/Operator or his Authorized Representative

Title

Date

=====
Department Use Only

Application No. _____ Date Application Approved _____ Date Bond Rec'd _____

Bond Amount _____ Blanket or Single Bond _____ Permit Issuance Date _____

ACTION TAKEN ON THIS APPLICATION

_____ Approved _____ Denied _____ Approve with additional Terms and Conditions

By: _____
DIVISION DIRECTOR

Date: _____